

Temporary Uses



Facts to Know

RELATED FACTS TO KNOW:

Organized Events.

INTRODUCTION:

Temporary uses are uses of land that are short in duration, such as a mobile office or construction trailer for homebuilders, the temporary display of merchandise for sale, and organized events. Table V-4 in Article V of the city's Land Development Code identifies temporary uses that require a temporary use permit.

GENERAL TIMEFRAME:

- For temporary uses that require a temporary use permit, the application and submittal requirements should be submitted 30 days prior to the start date of the temporary use.

GENERAL NOTES:

- The Community Development Director and the Development Review Team (DRT) will review temporary use permits.
- The Community Development Director is authorized to approve, approve with conditions, or deny applications based upon the approval criteria.
- The period of time for which a temporary use or organized event permit is issued depends on the type of use requested. Please see the table below for more information (V-4). The dates a temporary use may be operated are specified on the permit. It shall be unlawful for any person to operate a temporary use, or to allow a temporary use to be operated on a property, outside the dates and times provided on the temporary use permit.
- A deposit in the form of a cashier's check may be required by the city to offset any costs incurred by the city in conjunction with a temporary use or temporary structure including, without limitation, sign removal, code enforcement, and clean-up. If required, the deposit, which may not exceed \$2,000, shall be paid prior to any permit being issued. The city shall return any unused portion. Please check with city staff to determine if a deposit is required.
- No temporary use shall be conducted or temporary structure erected and/or used except after:
 - ➔ A site plan containing sufficient information to show compliance with standards and requirements of the city's Land Development Code is submitted and approved by the city;
 - ➔ All permits required by applicable building, electrical, fire, plumbing, and mechanical codes are obtained; and
 - ➔ All licenses required for the operation of the temporary use are obtained.

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- A temporary use permit fee is \$25.
- A temporary use permit application that does not include specific dates will not be accepted.

REVIEW PROCESS:

- The applicant prepares the temporary use permit application and includes any additional documentation they deem important and relevant to the decision-making process.
- A completed application and supporting documents are submitted for the city's review. The request is referred to the appropriate decision-making body.

TEMPORARY USE PERMIT APPROVAL CRITERIA:

- A. The use complies with the general purposes, goals, objectives, policies, and standards of the comprehensive plan, the land development code, or any other plan, program, or ordinance adopted by the city;
- B. The use will not result in a substantial or undue adverse effect on adjacent property, the character of the neighborhood, traffic conditions, parking, or public improvements;
- C. The characteristics of the site are suitable for the proposed use considering size, shape, location, topography, existence of improvements and natural features;
- D. The use will be adequately served by and will not impose an undue burden on any of the improvements, facilities, and services of the city or its residents. Where any such improvements, facilities, utilities or services are not available or are not adequate to service the proposed use in the proposed location, the applicant shall, as a part of the application and as a condition of approval of the temporary use permit, be responsible for establishing an ability, a willingness, and a binding commitment to provide such improvements, facilities, utilities, and services in sufficient time to serve the proposed use;
- E. The director finds that, based upon their history, the applicant, owner, and users are likely to comply with the conditions of the permit and the city's municipal and land development codes;
- F. No permanent alterations to the site are proposed or are reasonably expected to result from the use/event; and
- G. There is no evidence to suggest that the use violates any federal; state; or local law, regulation, or requirement.

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TEMPORARY USE/STRUCTURES TABLE:

Uses or structures not listed in the table below are prohibited.

Temporary Use or Structure	Temporary Use Permit Required	Zoning District Allowed	Maximum Allowable Time Frame	Specific Regulations	Extension Allowed
Auctions	Yes	AG, I-1, I-2, I-3	7 days		No
Batch plants	Yes	I-1, I-2, I-3, AG, Public	6 months	Sec. 21-5330	Yes
Car Wash (e.g., fundraiser)	Yes	All	3 days		No
Charitable collection devices	Yes	C-2, C-3, I-1, I-2, I-3	60 days	Sec. 21-5335	Yes
Construction Trailer	Yes	All	Duration of Construction		N/A
Farmers' Market	Yes	AG, C-2, C-3, I-1, I-2, I-3, Public	Per Section 21-5340	Sec. 21-5340	Yes
Food vendor carts	No	Municipal Code	Municipal Code	Municipal Code	No
Mobile office structures	Yes	All	6 months	Sec. 21-5345	Yes
Mobile storage/containers	Yes	C-1, C-2, C-3, I-1, I-2, I-3, AG, R-1, R-2, R-3, Public	30 days	Sec. 21-5350	Yes (non-residential) No (residential)
Natural disaster and emergency recovery/clean-up	No	All	Duration of recovery/clean-up	Sec. 21-5355	N/A
Outdoor short-term sales (e.g., tent or parking lot sales, sidewalk sales, hail/windshield repair, or similar uses)	Yes	C-1, C-2, C-3, I-1, I-2, I-3, MU-1, PUD	14 days	Sec. 21-5365	No
Outdoor seasonal holiday sales	Yes	All	Per Section 21-5370	Sec. 21-5370	No
Outdoor seasonal sales	Yes	C-1, C-2, C-3, I-1, I-2, I-3, MU-1	6 months	Sec. 21-5375	No

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Temporary Use or Structure	Temporary Use Permit Required	Zoning District Allowed	Maximum Allowable Time Frame	Specific Regulations	Extension Allowed
Outdoor vending machines, newspaper racks, and other machines	No	All	N/A		No
Real estate sales or leasing office	Yes	All	1 year	Sec. 21-5380	Yes
Roadside Produce Stand	Yes	C-2, C-3, AG	3 months	Sec. 21-5385	Yes
Organized event (e.g., carnival/circus, fair, car show/sale, bazaar/flea market or similar events)	Yes	All	14 days	Sec. 21-5360	Yes
Temporary use not falling into above categories and occurring wholly within an enclosed building	Yes	All	Based on City review	Based on City review. See Section 21-3216 for procedures	Based on City review